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January 14, 2022

## VIA ECF

The Honorable Alison J. Nathan  
United States District Judge  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *In re Application of Benjamin Steinmetz for an Order to Take Discovery from Vale S.A., Vale Americas Inc., Rio Tinto plc, and Rio Tinto Limited Pursuant to 28 U.S.C. § 1782, Case No. 20-mc-00212-AJN (S.D.N.Y.)*

Dear Judge Nathan:

Petitioner Benjamin Steinmetz and Respondents Vale S.A., Vale Americas Inc., Rio Tinto PLC and Rio Tinto Limited respectfully submit the following joint letter pursuant to Your Honor's January 11, 2022 Order (ECF No. 55) requesting a report on the status of the underlying foreign proceeding before the High Court of England and Wales (the "High Court"), captioned *Vale S.A. v. Steinmetz*, No. CL-2019-000723 (the "English Proceedings").

The nine-week trial in the English Proceedings is scheduled to begin on January 24, 2022, and end by April 7, 2022. Certain aspects of one of Vale S.A.'s claims will be addressed following the trial. After the High Court decides the various claims and defenses, any party can apply to appeal the judgment.

Vale Americas Inc., Rio Tinto PLC and Rio Tinto Limited are not parties to the English Proceedings. The Rio Tinto Respondents have no additional information to provide.

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Respectfully submitted,

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